

REMARKS

This paper is filed in response to the Office Action dated November 5, 2009 (hereinafter "Office Action"). Claims 1, 8-10, 17-20, 23, 24, 28-33 and 35-105 are currently pending.

A petition for a one-month extension of time and the accompanying fee are submitted with this response. If the U.S. Patent Office determines that any additional fees are required, the Commissioner is hereby authorized and requested to charge any deficiency and/or credit any refund owed to Deposit Account No. 04-0100.

I. Amendments to the Claims

In this paper, independent claims 1, 17, 28, 35, 38, 40, 52, 64, 76, 86, and 96 have been amended. For example, independent claim 17 has been amended to include the limitation:

validating the data in the message with a data server;

The other independent claims have been similarly amended. Such amendments are fully supported throughout the Specification. (See, e.g., page 11, lines 16-22 and page 15, lines 16-24.) Claim 31 has been amended to maintain consistency with amended claim 28. No new subject matter has been introduced by way of these amendments.

II. Rejections Under 35 U.S.C. §103

In the Office Action, claims 1, 8-10, 17-20, 23, 24, 28-33 and 35-105 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,240,093 to Danieli et al (hereinafter referred to as "Danieli"), in view of U.S. Patent No. 5,774,673 to Beuk et al (hereinafter referred to as "Beuk"). However, in view of the amendments to claims 1, 17, 28, 35, 38, 40, 52, 64, 76, 86, and 96, Applicants submit that these rejections are now moot.

With respect to claim 17, Applicants respectfully submit that Danieli and Beuk, separately or in combination, fail to disclose or suggest a method of operating a multi-player game in which data received at an invitee client from an inviter client is validated with a data server.

First, such a step is not disclosed in Danieli. Danieli discloses systems and methods for enabling multi-player games. In the configurations of Danieli where messages are routed to users with data for joining a game, a host user invites users to a chat session and thereafter sends a message to the users who have joined the chat session. The message received by the users is then used to automatically connect the users to the multi-player game being hosted by the host user. However, Danieli is silent with respect to validation. Therefore, Danieli fails to disclose or suggest any system or method for validating the data in the message from the host user. Accordingly, Applicants submit that Danieli fails to disclose or suggest a method including the step of validating data in a message from an inviter client to an invitee client with a data server.

Such validation is also not disclosed in Beuk. Beuk discloses systems and methods for providing bi-directional communications between devices, where messages are received from a sending apparatus and received by a receiving apparatus. Beuk also discloses that the messages can result in the activation of an application in the sending apparatus. However, Beuk fails to disclose or suggest that the messages are verified with a data server or any other apparatus. Accordingly, Applicants submit that Beuk also fails to disclose or suggest the step of validation data in a message received from an inviter client.

In contrast, claim 17, as amended, explicitly recites a step of validating data in a message received from an inviter client at an invitee client with a data server. Accordingly, Applicants respectfully submit that amended claim 17 defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 17.

With respect to amended claim 1, this claim recites a game and messenger client server system including logic for validating data in a message with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended

claim 17, Applicants respectfully submit that claim 1, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 1 in view of Danieli and Beuk.

With respect to amended claim 28, this claim also recites a method including a step for validating data in a message with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 28, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 28 in view of Danieli and Beuk.

With respect to amended claim 33, this claim recites a game and messenger client server system, where the invitee messenger client is configured for validating data in a message with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 33, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 33 in view of Danieli and Beuk.

With respect to amended claim 35, this claim also recites a method including a step for validating a user state and a reference to an activity with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 35, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 35 in view of Danieli and Beuk.

With respect to amended claim 38, this claim recites a computer readable medium with program code for validating a user state and a reference to an activity with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 38, as amended, also defines over

the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 38 in view of Danieli and Beuk.

With respect to amended claim 40, this claim recites logic in a invitee client device including validation logic for validating data in a message with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 40, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 40 in view of Danieli and Beuk.

With respect to amended claim 52, this claim also recites a method including a step for validating data with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 52, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 52 in view of Danieli and Beuk.

With respect to amended claim 64, this claim recites a computer readable medium with program code for validating the contents of a message received by a invitee messenger client with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 64, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 64 in view of Danieli and Beuk.

With respect to amended claim 76, this claim recites logic in an inviter client device including logic for providing data that enables an invitee client device to validate data in a message with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 76, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 76 in view of Danieli and Beuk.

With respect to amended claim 86, this claim recites a method in an inviter client device including providing data that enables an invitee client device to validate data in a message with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 86, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 86 in view of Danieli and Beuk.

With respect to amended claim 96, this claim recites a computer readable medium including program code for causing an inviter client device to provide data that enables an invitee client device to validate data in a message with a data server, similar to the limitation in amended claim 17. Therefore, for at least the reasons presented above with respect to amended claim 17, Applicants respectfully submit that claim 96, as amended, also defines over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of claim 96 in view of Danieli and Beuk.

With respect to claims 8-10, 18-20, 23, 24, 29-33 and 37, 39, 41-51, 53-64, 65-75, 77-85, 87-95, and 97-105, as amended, these claims are dependent on one of amended independent claims 1, 17, 28, 35, 38, 40, 52, 64, 76, 86, and 96, while reciting additional limitations. Therefore, for at least the reasons presented above with respect to the amended independent claims, Applicants respectfully submit that these dependent claims, as amended, also define over the combination of Danieli and Beuk. Therefore, Applicants respectfully request withdrawal of the rejection of the remaining dependent claims in view of Danieli and Beuk.

III. Non-statutory Double Patenting Rejection

Claims 1, 17 and 33 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over 1 and 13 of U.S. Patent No. 6,699,125, in view of Danieli. As suggested in the Office Action, a terminal disclaimer in compliance with 37 C.F.R. 1.321, signed by an attorney of record, is attached to this paper for purposes of overcoming the asserted rejections.

Accordingly, in view of the terminal disclaimer, the rejection of these claims is now moot and Applicants respectfully request withdrawal of the rejections of these claims.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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